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E. ROBERT SEAVER, CLER

No. 835

IN THE

Supreme Court of the United States

October Term, 1970

ROBERT KENNETH DEWEY,
Petitioner,
vs.
REYNOLDS METALS COMPANY,
Respondent.

ON WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

RESPONSE OF RESPONDENT REYNOLDS METALS COMPANY TO MOTION FOR LEAVE TO FILE A BRIEF *AMICI CURIAE* BY NATIONAL JEWISH COMMISSION ON LAW AND PUBLIC AFFAIRS, AMERICAN JEWISH COMMITTEE, ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH AND AMERICAN JEWISH CONGRESS

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Although Respondent hesitates to burden the record in this case, in all fairness it feels that this response should be made in order that the Respondent's position as stated to counsel for the *amici* might be fully and accurately before this Court.

1. On January 18, 1971 this Court granted certiorari in the above-captioned case.

2. By letter dated January 25, 1971, the National Jewish Commission on Law and Public Affairs, on behalf of itself and such other voluntary organizations as might wish to join with it, requested the consent of Respondent,

Reynolds Metals Company, to the filing of a brief on the merits *amicus curiae* in support of the Petitioner.

3. Respondent replied by letter dated February 3, 1971 that "because of the multiple issues involved, the scope of the application thereof, and the general interest therein, Reynolds Metals Company has felt that it would not be appropriate for it to select those to whom it might grant or withhold its consent but rather this issue should be left to the discretion of the Supreme Court."

4. By letter dated February 16, 1971, the American Jewish Congress requested the consent of Respondent, Reynolds Metals Company, to file a brief *amicus curiae*.

5. Respondent, Reynolds Metals Company, withheld consent by letter dated February 24, 1971. Having been advised that the Solicitor General was filing a brief *amicus curiae* in support of Petitioner and had also requested thirty (30) minutes in which to participate in the oral argument, Respondent stated that by virtue of the combined efforts of counsel for Petitioner, Respondent and the Solicitor General the issues should be adequately covered and the positions of all interested parties presented to the fullest extent.

6. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, has now been granted and thirty (30) minutes has been allotted for that purpose.

7. In early March 1971, Motions For Leave To File A Brief and Briefs of National Jewish Commission on Law and Public Affairs, American Jewish Committee, Anti-Defamation League of B'Nai B'Rith, and American Jewish Congress were filed with this Court.

8. Respondent, Reynolds Metals Company, while con-

tinuing of the opinion that all pertinent facts and questions of law will be adequately presented in this matter in the course of three (3) oral arguments, neither consents nor withholds its consent to the filing of said briefs but respectfully leaves the resolution of the question to the discretion of the Court.

Dated: March 19, 1971

Respectfully submitted,
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